



STATE OF MICHIGAN
DEPARTMENT OF EDUCATION
LANSING


RICK SNYDER
GOVERNOR

MICHAEL P. FLANAGAN
STATE SUPERINTENDENT

July 10, 2014

MEMORANDUM

TO: Local and Intermediate District Superintendents
Public School Academy Directors and Authorizers

FROM: Venessa A. Keesler, Ph.D. 
Deputy Superintendent, Education Services

SUBJECT: Waiver to Exceed the Carryover Limitation for Fiscal Year 2013-14
Title I, Part A Funds

The Michigan Department of Education (MDE) has not been granted a waiver of the limitation in Section 1127(b) of the Elementary and Secondary Education Act of 1965 (ESA) that prohibits a state educational agency (SEA) from granting a local educational agency (LEA) a waiver of the 15% carryover limitation for Title I, Part A funds more than once every three years. As a result, LEAs who requested a waiver for 2011-12 and 2012-13 are not eligible to request a waiver for 2013-14. Please refer to www.michigan.gov/ofs under Current Topics, for a list that identifies the next possible waiver eligibility dates for LEAs who have requested a waiver within the last two years.

For LEAs who are eligible to request a waiver, individual LEA waiver requests must identify the specific reason(s) why the waiver is necessary. Waiver requests that do not contain this information will not be considered. The "Title I, Part A 15% Carryover Waiver Request for 2013-14 Funds" form is posted on the Office of Field Services (OFS) website www.michigan.gov/ofs under Current Topics. This form must be submitted to TitleICarryoverWaiver@michigan.gov by **December 1, 2014**.

Only under extraordinary circumstances may an LEA request a waiver of the 15% carryover limit more frequently than once every three years. Each LEA must provide sufficient justification. Each request needs to be submitted to MDE-OFS@michigan.gov who will not be able to grant the waiver but will forward it to the United States Education Department (USED) for consideration.

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An example of an extraordinary circumstance is when the state legislature closed an LEA and additional resources were made available late in the application process to receiving LEAs, leaving them with insufficient time to expend additional funds.

For an extraordinary circumstance, submit on LEA letterhead, a description of the condition leading to the extraordinary circumstance that includes the following:

- Details of condition; and
- Request for the appeal to the USED who will provide the final determination.
- All extraordinary requests must be submitted by **November 1, 2014** to the Office of Field Services. Address request to Fred Williams.

Upon receipt and review of all requests, MDE will determine those requests that meet the "extraordinary circumstance" criteria. A public comment process must be completed before all requests are submitted as a group to the USED.

Questions regarding this communication may be directed to Fred Williams at 517-373-3743 or williamsf3@michigan.gov.

cc: Michigan Education Alliance